S.B. CIVIL WRIT PETITION NO. 1450/2007.

(SANJAY KUMAR VS. ADC(ADMN.), CHITTORGARH)

DATE OF ORDER : 01.08.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. K.R. Saharan for the petitioner.

By this petition for writ, a challenge is given to the order dated 23.05.2006 passed by Additional Collector, Chhitorgarh accepting the revision petition preferred under Section 97 of the Rajasthan Panchayati Raj Act, 1994. By the aforesaid order, the revisional authority set aside the patta granted in favour of the petitioner on 15.09.1991.

The contention of counsel for the petitioner is that

(i) the revisional petitioner was having no locus to prefer the revision petitioner and

(ii) the revisional authority failed to appreciate that a plausible right was existing in favour of the petitioner to retain possession over the land in question.

I do not find any substance in the contention so raised as from perusal of the documents annexed with the writ petition and from examination of the order impugned, it is apparent that the registry of the sale was made even prior to

allotment of land allotted to the petitioner. It is further apparent from perusal of the proceedings of Gram Panchayat, Patwa (Annexure -1E) that no procedure as prescribed under Rajasthan Panchayati Raj Rules, 1961was adhered by the Gram Panchayat before making allotment of land in favour of the petitioner. The order impugned, therefore, does not warrant any interference by this Court under Article 226 and 227 of the Constitution of India.

This petition for writ is accordingly dismissed.

(GOVIND MATHUR)J.

Anil/